

CITY OF CENTRAL POINT

REGARDING CONDITIONAL USE PERMIT APPLICATION FOR SITE:

1775 N. 10th St., Central Point

DELTA LIFE FITNESS CENTER

By Melissa and Jim Mocello

PROPOSED FINDINGS OF FACT

Thank you for considering DELTA LIFE FITNESS and Melissa & Jim Mocello's application for a conditional use permit pursuant to § 17.76, Conditional Use Permits of the Central Point Municipal Code. We are very excited to propose putting a fitness center for women in Central Point. It is an amazing model to empower others and provide a safe and comfortable place for women to get fit and achieve their goals. See attached franchise information and business model, there is none like it in the Rogue Valley! Please consider these findings of fact as we've been asked to make a statement of compliance with the city's zoning code 17.76 and related ordinances (Ord. 2014 §12, 2015; Ord. 1436 §2(part), 1981).

17.76.040 Findings and conditions.

- A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;

The site, 1775 N. 10th St., is approximately 4,015 square feet, is of a shape and size to accommodate our anticipated clientele throughout the day. Please review the submitted cite plan. The best feature of this cite is it gives us room to grow, which means we won't be leaving Central Point any time soon.

- B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;

There are two entrances to the facility and it's parking from N.10th Street and 3rd Street. The streets surrounding Central Point's iconic "Fair City Market" building have been recently widened and repurposed to accommodate traffic through the area and again, the current cite plan demonstrates adequate accommodation, which we assume was approved by the city long ago.

- C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;

We do not believe that this facility and its purpose will bring any adverse affect to the neighboring properties. The two other properties, Spoons tea/coffee shop and the Market, we anticipate will benefit from an increase traffic to the little corner of N. 10th and 3rd and potential new clientele/partnerships with their businesses. There is plenty of ingress and egress, an already approved and improved parking situation, set backs are already approved and in place, and we are not asking to make any changes to cite apart from inside the four walls of the structure itself to accommodate our business. The building owner maintains all the landscaping and lighting.

- D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;

Delta Life Fitness has at least two-dozen facilities across the country. This franchise opportunity for Jim and Melissa Mocello will comply with all State and Federal health and safety regulations, it is of utmost importance for the organization and it's founders to provide and clean and safe environment for it's clients. One of the major improvements inside the building at 1775 N. 10th Street is an addition of two toilets and a completely enclosed locker room. Please consider the architectural drawings for proposed improvements. These plans were drawn up by Steve Eniss and already counseled with the Central Point building department on requirements. We will provide the safest environment possible for our clients to enjoy fitness! However, we cannot control all actions of our clients. Therefore, all clients will be held solely responsible for their own actions with a liability waiver. This is typical for fitness centers, gyms, play facilities etc that are physically demanding across the country.

- E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:
- Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13,

Through out research and asking plenty of questions with the city, it is our understanding that no further adjustments to the cite, yard, or parking is necessary. For a fitness center, it is our understanding that 1 parking space for every 200 square feet s sufficient. For the cite at 1775 N. 10th St., we are only required to 20 parking spaces and there are 49 spaces available for the entire building. This is a condition already approved for the cite long before we came along.

- Increasing street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use,

We do not believe that there will be any significant impact to traffic for this proposed use. It is our understanding that for this building, the parking situation already approved and existing, that the streets have already been designed to support the nature of this proposed use.

- Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use,

Again, for our intended use and anticipated we believe at most we will have 20 vehicles a the cite at any given time. We have sufficient parking and do not anticipate needing off street parking.

- Regulation of points of vehicular ingress and egress,

There are two regular points of ingress and egress in existence. These points are already approved and regulated.

- Requiring landscaping, irrigation systems, lighting and a property maintenance program,

Again, the building owners are taking responsibility for this and have done so consistently. As an example, the parking lot has been recently resealed.

- Regulation of signs and their locations,

The building owners have already regulated and installed signage, approved already. Please refer to city plan attached to this application. At the onset, we intend to use signage on the window in the form of vinyl decal. But we are already aware that any additional signage would require an application for approval with the city. But we have no intention of doing so at this time.

- Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise,

vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,

There is one fence behind cite and lot but to our understanding there are no requirements for those listed above. We do not anticipate our facility to be of a nature that causes noise, odors, or undesirable effects on the surrounding properties.

- Regulation of time of operations for certain types of uses if their operations may adversely affect privacy of sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions,

We are not going to be open during normal sleeping hours to impact the surrounding community. As far as other neighborhood functions, we are hoping to BE a neighborhood function, timing our fitness sessions around school pick-up and drop-off times.

- Establish a time period within which the subject land use must be developed,

We anticipate opening our facility January 1, 2017.

- Requirement of a bond or other adequate assurance within a specified period of time,

If this is meant as an insurance bond for the operation of the facility, the franchise participates in a group insurance policy to cover all of Delta Life Fitness centers. There will be adequate insurance coverage for the facility provided by the building owners as well as adequate coverage of the business and it's clientele, employees, and others. The building owners for the facility require \$1,000,000 liability insurance coverage, which appears to be sufficient.

- Such other conditions that are found to be necessary to protect the public health, safety and general welfare,

We do not foresee and additional conditions to protect the public health, safety and welfare apart from perhaps additional lighting in the parking lot, security cameras, to ensure the safety of our Delta Ladies.

- In considering an appeal of an application for a conditional use permit for a home occupation, the planning commission shall review the criteria listed in Section 17.60.190. (Ord. 1823 §5, 2001; Ord. 1684 §72, 1993; Ord. 1615 §55, 1989; Ord. 1533 §1, 1984; Ord. 1436 §2(part), 1981).

This is no a home occupation or business.

To conclude, we are proposing bringing a new kind of fitness center to Central Point and its residents as well as bring new life to the corner of N. 10th and 3rd. We believe that since the zoning is already allowed for a fitness center under a conditional use, cite has already been approved and develop to accommodate the fitness center. C-Neighborhood Commercial conditional use: "Family-oriented commercial recreation establishments including, but not limited to, pool/billiard centers, health spas, exercise or physical fitness centers, martial arts schools, arcades/amusement centers, and similar facilities that are neighborhood oriented and consistent with the purpose and intent of the neighborhood convenience center. (Ord. 1709 §1(part), 1994)." The cite is sufficient to accommodate our business, streets are already designed to accommodate a business of any type within the zoning including a fitness center, there is sufficient parking, and our business will rejuvenate the North Side of Central Point!

Thank you for your consideration,

Jim and Melissa Mocello